UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
TRAN, DOUGLAS Q

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/527,467	SHIBASAKI, NAOJI
	Examiner	Art Unit	
	Douglas Q. Tran	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 August 2004</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is .
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,9-14 and 16* is/are rejected.

7)☒ Claim(s) *8 and 15* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>08 December 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *3/10/04*.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-7, 9-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Narayen et

al. (US Patent No. 6,035,323).

As to claim 1, Narayen teaches an image data management system (103 in fig. 2),

comprising:

a plurality of printing stations (i.e., the client computer systems 121, 125, 135, 137 in fig.

2) with functions to read digital image data (201 in fig. 4, col. 6, lines 30-34), to print the data by

performing necessary image processing (it is noted that any computer system, which be

considered as a printing system, has the ability of performing the printing the image data "col. 1,

line 38 and col. 5, lines 51-52") and to transmit or receive image data (i.e., a modem 123 among

of the modems and LAN bus enables to transmit or receive image data);

a management system (i.e., the Internet service providers ISPs 105,107 and the Web

Server 109 in fig. 2, col. 4, lines 34-36) connected to each printing system (i.e., 121 in fig. 2) via

a network (i.e., the Internet 103 in fig. 2) and used for identifying management data of each

printing station (col. 4, lines 27-32 and step of 281 in fig. 7 describes that TCP/IP and HTTP

protocols used in the Internet with providers ISP for connecting to each client and receiving the

image data from each client. Thus, the management system such as ISPs and the Web server 109

would be used for identifying management data) and for distributing necessary data to each

printing station (col. 4, lines 34-43); and

a server (111 in fig. 2) for turning the image data, being transmitted from each printing

station to the management system, to a database (110 in fig. 2) and for storing the data (col. 4,

lines 54-57).

As to claim 2, Narayen discloses every feature discussed in claim 1, and Narayen further

teaches that the image data turned to the database (110 in fig. 2) has image categories as attribute

information (steps of 205-207 in fig. 4 indicates image is stored to a database has a unique name

and a type of image file which would be image categories as attribute information; and steps of

229 in fig. 5 indicates the database 110 would store the album format data and images "col. 8,

lines 38-39" in which the image categories would be the album format data that specifies the

layout and style and number of pictures in the album and also the signatures represent the content

of each of the images in the media container "col. 8, lines 25-28" and a boxes of 301 and 303 in

fig. 8 indicates the server determines image categories as attribute information of each image and

saves them to the database "col. 10, lines 51-58").

As to claim 3, Narayen discloses every feature discussed in claim 1, and Narayen further

teaches that the image data turned to database contains information for public disclosure of the

image as attribute information (step of 225-227 in fig. 5; col. 8, lines 45-54).

As to claim 4, Narayen discloses every feature discussed in claim 1, and Narayen further

teaches of that the management system performs remote controlled maintenance on each printing

station based on a management data (281 in fig. 7).

As to claim 5, Narayen discloses every feature discussed in claim 1, and Narayen further

teaches that in the printing station, the user can specify an image to be printed as well as an

image to be transferred to and stored in the management system from the image displayed on a

monitor screen (step of 201 in fig. 4 and step of 227 in 5 for the specified image to be transferred

to the Internet. Col. 1, lines 37-40: the user can select image for printing or publication over the

network).

As to claim 6, Narayen discloses every feature discussed in claim 1, and Narayen

further teaches that the printing station comprises a photographing equipment (i.e., a digital

acquisition device from 201 in fig. 4) and a photograph for certification purposes can be prepared

(step of 203 in fig. 4).

As to claim 7, Narayen discloses every feature discussed in claim 1, and Narayen further

teaches the image processing comprises at least one of: correcting a rear light or a reflection light

of the image data; correcting a color of the image data automatically for adjusting technical

peculiarities applied to an image by an image data acquiring device; correcting color balance of

the image data; enlarging or reducing a size of the image data; and removing noise in the image

data (step of 271 in fig. 6B indicates the user to edit album by changing layout etc. Thus, a size

of each image can be changed "col. 9, lines 9-18").

As to claim 8, Narayen discloses every feature discussed in claim 1, and Narayen further

teaches the printing stations further comprises: a currency processing unit, wherein the currency

processing unit identifies currency inserted into the system, processes a cost to be charged to a

client, and returns currency to the client (step of 225 in fig. 5, steps of 281, 283 in fig. 7, col. 15,

lines 50-51 indicates that the security of the management system is established with the user in

the Internet. Thus, the management system would inherently charge to any client, who would like to view the privacy of the image data).

As to claim 9, Narayen discloses every feature discussed in claim 1, and Narayen further teaches the management system comprises a host computer (col. 5, lines 27-29).

As to claim 10, Narayen discloses every feature discussed in claim 2, and Narayen further teaches the attribute information further comprises at least one of a name, an age, a sex, an occupation, an address and a telephone number of an owner of the image data and a date of when the image data was obtained (step of 225 in fig. 5 and step of 731 in fig. 11, col. 13, lines 23-25).

As to claim 11, Narayen discloses every feature discussed in claim 2, and Narayen further teaches the image categories comprise: images of family, personal portraits, scenery, animals or plants (step of 201 in fig. 4 and col. 6, lines 30-34: the digital image data is from the digital camera. Thus, the image data would inherently include images of family, personal portraits, scenery, animals or plants "col. 7, lines 3-13").

As to claim 12, Narayen discloses every feature discussed in claim 2, wherein the attribute information is attached to the image data (col. 14, lines 19-30).

As to claim 13, Narayen discloses every feature discussed in claim 1, the plurality of printing stations are continuously connected to the management system (col. 4, lines 34-43 describes that the users at client computer systems 121, 125, 135 and 137 can access to the Internet 103 provided by Internet service providers ISPs 105, 107 for exchanging information, receive and send e-mails and view documents or pictures via the Web Browser "233 in fig. 5". Thus, the plurality of printing stations are continuously connected to the management system).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Narayen as applied to claim 1 above, and further in view of the well known in the prior art.

As to claim 14, Narayen teaches every feature in claim 1.

Although Narayen does not teach the plurality of printing stations (i.e., the client

computer systems 121, 125, 135, 137 in fig. 2) are publicly located, the client computer system

would be well known to be one of publicity devices and would be used at public such as a store

or a hotel or a restaurant because of the produce of the personal computer system would be the

same as the produce of the publicity computer system. It would have been obvious to use the

client computer system of Narayen as the publicity computer so that any user can access to the

Internet via the Web Browser at a store, a hotel or a restaurant or any place in the publicly

location.

As to claim 16, Narayen teaches every feature in claim 1.

However, Narayen does not teach the image processing comprises at least one of

correcting a rear light or a reflection light of the image data, correcting a color of the image data

automatically for adjusting technical peculiarities applied to an image by an image data acquiring

device, correcting color balance of the image data, and removing noise in the image data.

Narayen teaches the Adobe's Photoshop, which is the well known in the prior art such as a

digital photography software program (col. 1, lines 22-25 and 58-62), is used for correcting color

balance of the image data or removing noise in the image data.

It would have been obvious to modify the client computer system of Narayen having the

well known of the prior art of the Adobe's Photoshop such as a digital photography software

program to be used for image processing such as correcting color balance of the image data or

removing noise in the image data. Such a modification would allow the user easily to modify the

color balance to the user-desirable color balance of the images.

Allowable Subject Matter

5.   Claims 8 and 15 are objected to as being dependent upon a rejected base claim, but would

be allowable if rewritten in independent form including all of the limitations of the base claim

and any intervening claims.

As to claim 8, Narayen teaches the plurality of printing stations (i.e., the client computer

systems in fig. 2) access to the Internet for requesting the album and building their album.

However, Narayen fails to disclose the client computer systems comprises "a currency

processing unit, wherein the currency processing unit identifies currency inserted into the

system, processes a cost to be charged to a client, and returns currency to the client". Thus, the

above underlined limitations are allowable.

As to claim 15, Narayen teaches the attribute information of each picture (col. 14, lines

22-28). However, Narayen fails to teach the limitations of "the attribute information comprises a

name, an age, a sex, an occupation, an address and a telephone number of an owner of the image

data". Thus, the above underlined limitations are allowable.

Response to Arguments

Applicant's arguments, filed 8/25/04 have been fully considered but they are not

persuasive.

Applicant argued to claim 1 on page 6 of the Argument that: " However, there is no

indication that the client computer systems 121, 125, 135, and 137 perform image processing for

printing of digital image data. In particular, Narayen does not pertain to image processing as

discussed above. Narayen merely distributes or publishes images from a digital acquisition

device for viewing over a network ". The argument has been fully considered but is not deemed

to be persuasive because Narayen clearly teaches that the client computer systems 121,125,135,

and 137 (fig. 2) which would be considered as the digital processing systems in conventionally

for processing the image from a digital camera or a scanner (col. 1, lines 15-24) and the image

could be processed for printing in conventional manner (col. 1, lines 38-39). Furthermore,

Narayen discloses printers are connected to the client computer system 501 via I/O devices (fig.

3) for printing (col. 5, lines 51-52). Therefore, Narayen discloses the client computer systems

121, 125, 135, and 137 would inherently perform image processing for printing the digital image

data.

Applicant argued to claim 1 on pages 6 and 7 of the Argument that: "Claim 1 further

recites a management system connected to each printing station via a network. The Examiner

asserts that the Internet service providers (ISP's) and the web server of Narayen teach the

claimed management server. However, in Narayen, a connection between a client computer

system and an ISP and web server is established when a user desires to create an online album.

See Abstract. For example, client computer systems 121, 125, 135, and 137 do not appear

connected to the ISP and web server unless a user at either client computer system 121, 125, 135,

or 137 desires to create or view an album. Therefore, a management system is not connected to

each printing station". The argument has been fully considered but is not deemed to be

persuasive because Narayen clearly teaches a management system (i.e., ISP 107 in fig. 2) is

connected to each printing station (135, 137 in fig. 2) via Internet 103 (col. 4, lines 35-43)

wherein the Internet allows the user of the client computer systems not only to desire to create an

online album but also to exchange information, receive and send e-mails, and view documents.

Applicant asserted to claim 4 on page 7 that: "However, step 281 describes that a client

system logs into a server via a connection and that the client system sends login information.

Merely because a client logs in to a system, does not mean that a management system performs

remote controlled maintenance on each printing station. For at least this reason claim 4 should be

deemed patentable". The argument has been fully considered but is not deemed to be persuasive

because the broadly limitation from this claim does not require what the maintenance is on each

printing station. Narayen discloses the Internet system 101 in fig. 2 allows the client computer

systems to exchange information, receive and send e-mails, and view documents via Internet

service provides ISPs 105 and 107 (col. 4, lines 35-41), and ISPs provides exchanging

information to each computer such as a security to each of client computers (281 and 283 in fig.

7). Therefore, ISP would be considered as a remotely management system for controlling the

maintenance of the security on each printing station.

Applicant asserted to claim 5 on page 7 that: " Step 201 in Fig. 4 describes the inputting

of digital image data from a digital camera into a digital processing system. It appears that all of

the images from a digital camera are being input into a digital processing system. There is no

indication that a user is specifying a particular image. Step 227 in Fig. 5 describes that a

publishing software transmits album format data and Signatures to a Server Computer System

Album format data and signatures are not an image as claimed". The argument has been fully

considered but is not deemed to be persuasive because Narayen teaches input digital images from

a digital camera are captured by the digital processing system (step of 201 in fig. 4); step of 203

in fig. 4 indicates images is selected and stored to a storage device from the display device (i.e.,

dialog box); each image is created in a thumbnail version or album format and store to a database

(110 in fig. 2) in the server computer system (110 in fig. 2) in step of 207 in fig. 4; and step of

227 in fig. 5 also indicates the album format and signatures or images are transmitted to the

server computer system. Therefore, Narayen clearly discloses that the user specifies each of

images to be transferred and stored in a database of the management system (i.e., the server

computer system 111 in fig. 2) (col. 6, lines 40-44 and 48-50).

Applicant asserted to claim 5 on page 8 that: "Col. 1, lines 37-40 states that a user can

print an image from their digital camera. However, there is no indication that the printing is

performed from a client computer system 121, 125, 135, and 137 (printing station as cited by the

Examiner) or that the selected image is specified by a user from images displayed on a monitor

screen". The argument has been fully considered but is not deemed to be persuasive because

Narayen clearly teaches that the client computer systems 121, 125, 135, and 137 (fig. 2) which

would be considered as the digital processing systems in conventionally for processing the image

from a digital camera or a scanner (col. 1, lines 15-24) and the image could be processed for

printing in conventional manner (col. 1, lines 38-39). Furthermore, Narayen discloses printers are

connected to the client computer system 501 via I/O devices (fig. 3) for printing (col. 5, lines 51-

52). Therefore, Narayen discloses the client computer systems 121, 125, 135, and 137 would

inherently select any image captured by the digital camera (201 in fig. 4) and print the digital

image data if the user desires.

Applicant asserted to claim 11 on page 9 that: "However, claim 11 recites that the image

categories, and not image data, include images of family, personal portraits, scenery, animals or

plants. There is no indication of family, personal portraits, scenery, animals or plants as

categories and attribute information in Narayen". The argument has been fully considered but is

not deemed to be persuasive because Narayen discloses, in step of 201 in fig. 4 and col. 6, lines

30-34, the digital image data is from the digital camera. Thus, the image data would inherently

include images of family, personal portraits, scenery, animals or plants "col. 7, lines 3-13". Col.

14, lines 19-28 also describes the various properties or attributes saved for a particular picture in

a picture database, the attributes for each picture include the title of the image, who was in the

picture, the photographer of the picture etc. Thus, the title of each picture would classify the

difference between pictures and would inherently comprise the title for images of family,

personal portrait, scenery, animal or plants.

For the above reasons, it is believed that the cited prior art fully discloses the claimed

invention and the rejection stand.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or
E-mail address is Douglas.tran@uspto.gov.
Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
Jan. 07, 2005